

Federal Communications Commission
Office of Secretary

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Channel No.

Community

Present

Proposed

Snow Hill, Maryland

266A

The Petitioner ("Sleeman") restates that he will apply for Channel 266A, at Snow Hill, Maryland if it is allotted and authorized. He will build the station promptly as required by the Commission.

Gregory S. Bojko ("Bojko"), by his attorney, has submitted Comments and Counterproposal in the proceeding.

In this proceeding, the Chief, Allocations Branch, proposes to amend the Table of FM Allotments to allot Channel 266A to the community of Snow Hill, Maryland, as its first local FM broadcast service. As the chief points out, Snow Hill is an incorporated community, having a population of 2217 persons (1990 Census). Bojko does not disagree with the foregoing assertion.

There is, however, in nearby Virginia, a larger community which, like Snow Hill, presently has no local FM broadcast service. That community is the community of Chincoteague. Chincoteague is incorporated and is governed by a major and council. It has all of the characteristics of an incorporated community, including its own post office, police department, fire department and other city services. A list of the current councilmen and the major is attached hereto and marked Exhibit A.

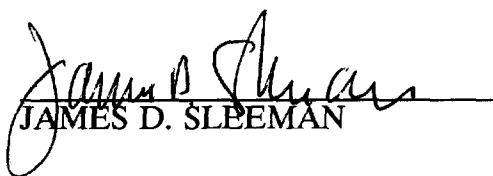
Chincoteague is larger than Snow Hill. In fact, the 1990 Census population of Chincoteague is 3572 persons. Thus, in a comparison between Chincoteague and Snow Hill, the mandate of Section 307 (b) of the communications Act would appear to dictate that, if Channel 266A can be placed in either Snow Hill or Chincoteague, the public interest would be better served by allocating the channel to Chincoteague.

Bojko is a resident of the State of Maryland. He makes his living as a contract engineer. he has engaged Dataworld to prepare a study to determine whether Channel 266A can be allocated to the community of Chincoteague. The results of that study are attached hereto and marked Exhibit B. As shown, based upon a reference point located at the main post office in Chincoteague, the Channel may be allocated to Chincoteague, Virginia, in full conformity with all of the requirements of the Commissions rules and regulations.

Bojko proposes that Channel 266A be allocated to Chincoteague, Virginia, instead of the Snow Hill, Maryland.

The Petitioner feels this matter should be based on a "First Come, First Served" basis, the Petitioner would like to suggest to the commission that Channel 291, as a class "A" could be placed at Chincoteague, VA. To the best of my knowledge this channel was assigned to Exmore, Virginia, but was never activated.


Respectfully Submitted:


JAMES D. SLEEMAN

CERTIFICATE OF SERVICE

I, JAMES D. SLEEMAN, do hereby certify that copies of the foregoing have been sent via first class, U.S. Mail, postage prepaid, this 14th day of April 1997, to the offices of the following:

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JAMES D. SLEEMAN